

**REMARKS**

Claims 1-44, 46-67 and 69-88 are pending in the present application. Claims 2-15, 17-21, 23-27, 29-33, 35-50, 52-56, 58-67, 69-73, 75-78, 80-83 and 85-88 have been withdrawn from consideration. Claims 1, 22, 28, 34, 51, 57, 74, 79 and 84 have been rejected under 35 U.S.C. § 103(e) over Hiyata (EP 0751490) in view of Saikaly et al. (U.S. Patent 5,893,056). Claim 16 has been rejected under § 103 over Hiyata in view of Saikaly and further in view of Jarvinen et al. (U.S. Patent 5,960,389). Claims 1, 34 and 57 have been amended hereby. Reconsideration of the present application is respectfully requested in light of the above amendments and below remarks.

As the substance of the Office Action remains essentially the same, Applicant will address the Examiner's "Response To Arguments" found on pages 2-3 of the Office Action. One of the features of the present invention as recited in independent claims 1, 34 and 57 is the reception of speech data without receiving corresponding feature parameter data. The Office Action points to Hiyata at column 1, lines 5-10 as teaching the discontinuous reception of feature data. However, at this portion of Hiyata, it merely describes a VOX system that simply stops transmission from a speech encoder for power saving reasons. In contrast, in each of independent claims 1, 34 and 57, a frame of speech data is actually received by the decoding device but it is without any feature parameters. In Hiyata, no speech data would be received.

In regard to Saikaly, its method is based on the assumption that the feature parameter is received in each frame. That is, the feature parameter is received in serial form. Again however, the method of Saikaly solves the problem that is caused whether or not speech is detected, not whether or not the current frame (containing speech signals) fails to contain a feature parameter. Therefore, Saikaly does not teach smoothing intermittently received feature parameters as recited in independent claims 1, 34, and 57.

Therefore, even if Saikaly and Hiyata were to be combined, the resultant combination does not read on the present invention as recited in independent claims 1, 34, and 57. Withdrawal of these independent claims and their dependent claims on the basis of Hiyata and Saikaly is therefore respectfully requested.

As each of the claims of the present application are in condition for allowance, such action is earnestly solicited.

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Respectfully submitted,

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